

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

DANE J. CORPA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:18-CV-987-WHA
	)	
DALE COUNTY JAIL, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On November 29, 2018, the Magistrate Judge entered a Recommendation (Doc. #5) to which no objections have been filed. Upon an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED;
2. The plaintiff's claims against the Dale County Jail and his request for criminal prosecution of the defendants are dismissed with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. The Dale County Jail is dismissed as a defendant in this cause of action.
4. Defendants Wally Olson, Brandon Tucker and Harvey Mccloud are dismissed from this case pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii) as the claims lodged against these defendants are based on a theory of respondeat superior or vicarious liability.

5. This case, with respect to the plaintiff's deliberate indifference claims against defendants Steve Baxley and Eric Baker, is referred back to the Magistrate Judge for further appropriate proceedings.

DONE this 20<sup>th</sup> day of December, 2018.

/s/ W. Harold Albritton

SENIOR UNITED STATES DISTRICT JUDGE